

TEMPORARY

NO. 63136

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APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAY 20 1997

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAY 20 1997

The applicant Winnemucca Farms, Inc., hereby makes application for permission to change the manner of use, place of use, and point of diversion of a portion of water heretofore appropriated under Permit 27449 Certificate 9792

1. The source of water is underground
2. The amount of water to be changed 0.17 cfs 40.6 mg
3. The water to be used for industrial effluent dilution and domestic purposes
4. The water heretofore permitted for industrial and domestic purposes
5. The water is to be diverted at the following point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, T.35N., R.38E., MDB&M or at a point from which the W $\frac{1}{4}$ corner of said Section 6 bears S 20°55'46" W a distance of 1,511.0 feet
6. The existing permitted point of diversion is located within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, T.36N., R.38E., MDB&M or at a point from which the NW corner of Section 6, T.35N., R.38E., MDB&M bears S 53°01'40" W a distance of 2,709.9 feet
7. Proposed place of use a portion of the NW $\frac{1}{4}$ of Section 6, T.35N., R.38E., MDB&M and a portion of the S $\frac{1}{2}$ and the NE $\frac{1}{4}$ of Section 1, T.35N., R.37E., MDB&M
8. Existing place of use within the W $\frac{1}{2}$ of Section 31, T.36N., R.38E., MDB&M
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works from a drilled well via pipelines to storage ponds and spray field
12. Estimated cost of works \$60,000
13. Estimated time required to construct works 1 year
14. Estimated time required to complete the application of water to beneficial use 2 years
15. Remarks: The existing place of use and point of diversion are shown on the map supporting Application 27449. Water is to be mixed with the process water from the Winnemucca Farms potato processing plant in order to meet state requirements for land application of process water and to ensure proper and efficient functioning of the integrated water handling and treatment system.

By Desert Mountain Surveying as agent
By John H. Milton III, PLS, SWRS
s/ John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared cl/jr cl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 27449 Certificate 9792 is issued subject to the terms and conditions imposed in said Permit 27449 Certificate 9792 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 63135-T and 63136-T shall not exceed 40.6 million gallons annually.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from the wells under Permit 26633 Certificate 8909, Permit 27449 Certificate 9792, Permit 33997 Certificate 9596, 63135-T and 63136-T. These records shall be submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on May 22, 1998 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.17 cubic feet per second, but not to exceed 40.6 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

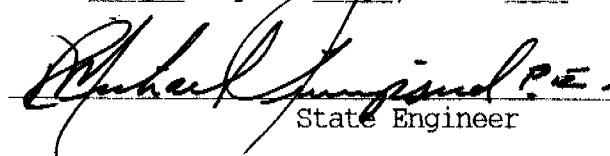
Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 23rd day of May, A.D. 1997


State Engineer

RECEIVED

MAY 23 1998